

S.T. No.2(12)2018
S.C.30(8)2018
(CNR No. WBSP07003230-2018)
(CIS No.168/2018)
(J.O. No.WB00702)

Order No.22 dated 10.05.2022

This day is fixed for further evidence of P.Ws and for appearance of the accused Krishna Prosad.

The accused above named, on Court bail is present by filing hazira.

Ld.P.P.-in-charge is present. Ld.lawyer for the accused is also present. No witness is present. Although one S/R is received in respect of Pappu Prosad Goar (C.S.W. No.1), as also the de facto complainant of this case.

Ld. P.P.-in-charge submits in open court that in spite of receiving the summon the witness did not turn up to adduce his evidence and accordingly, prays for passing necessary order. Ld. defence counsel does not raise any objection against the submission of ld. P.P.-in-charge. On the contrary, he submits that the accused is suffering since long as the charge has been framed against the accused on 05.12.2018 and accordingly prays for speedy disposal of the instant case.

Considering the rival submission of the ld. lawyer and on perusal of the record it reveals that the instant case was registered in the year 2018 against the sole accused, above named, and the charge has been framed against him u/s 304 IPC on 05.12.2018 and since then the prosecution has succeeded to adduce only two witnesses in this case out of 15 (fifteen) witnesses.

From the S/R received today, it reveals that the summon has been duly served upon the de facto complainant Pappu Prosad Goar (C.S.W.1), but despite receiving the summon he did not turn up as such, this court has no other alternative but to issue W/W/A against the de facto complainant (C.S.W.1) namely, Pappu Prosad Goar offering bail of Rs.2,000/- .

Be it mentioned here that the I.O. of this case is very much reluctant to appear before this court and to take appropriate steps to ensure the presence of the witnesses on the date of trial, as

(contd...Order No.22 dt. 10.05.18 in S.T.2(12)2018)

scheduled by this Court. In the aforesaid circumstances, I.O. should remain present positively on the next date fixed and to take to appropriate steps to ensure the presence of the witnesses positively on the next date fixed, i.d. necessary order will be passed. Inform I.O. accordingly.

Fix **27.07.2022** for further P.Ws and E/R of W/W/A of Pappu Prosad Goar (C.S.W. 1), de facto complainant.

D/c by me
Sd/- Bibhas Chatterjee
2nd Addl.Sessions Judge
Sealdah, 24-Pgs.(S)

Sd/- Bibhas Chatterjee
Additional Sessions Judge
2nd Court, Sealdah, 24-Pgs.(S)